

ENTERED

May 12, 2025

Nathan Ochsner, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION

HUGO ADRIAN VILLAR CASTELLANOS, *et al.*, §
Plaintiffs, §
VS. § CIVIL ACTION NO. 1:25-CV-080
KRISTI NOEM, *et al.*, §
Defendants. §

ORDER

On May 6, 2025, the Court held a hearing on Plaintiffs' request for a temporary restraining order. In connection with that hearing, Defendants submitted the Declaration of James Hicks, who declared that “[f]or each of the Plaintiffs in this case, [the Student and Exchange Visitor Program] has set their [Student and Exchange Visitor Information Systems] record back to ‘active.’”¹ (Declaration, Doc. 22, ¶ 5) According to Mr. Hicks, “all previous information that was part of the SEVIS record [was] restored, and there are no ‘gaps’ or ‘lapses’ in their SEVIS record.” (*Id.*) He represented, however, that technical limitations of the SEVIS system meant that SEVP could not remove or edit the event history for each Plaintiff, including the history showing “terminated.”

According to Mr. Hicks, SEVP could add a notation into the SEVIS record indicating that the individual's record was restored retroactively to the original date of the termination, confirming that the individual had no lapse in “active” status. Defendants' counsel expressed no objection to an Order requiring SEVP to add such a notation into the SEVIS record for each Plaintiff's SEVIS record. The Court ordered the parties to submit a proposed Order, and when

¹ Plaintiffs include Hugo Adrian Villar Castellanos, Shishir Timilsena, Amir Gholami, Julio Dylan Sanchez Wong, and Mayra Alejandra Varela Vargas.

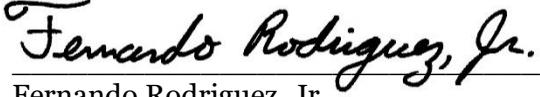
the parties could not reach agreement as to the wording of that Order, they submitted competing proposed Orders. (See Plaintiffs' Proposed Order, Doc. 25; Defendants' Proposed Order, Doc. 26)

The Court has considered the proposed Orders. Based on the record and the applicable law, it is:

ORDERED that by May 21, 2025, the SEVP shall add a notation into the SEVIS record for each Plaintiff, indicating that each Plaintiff's SEVIS record has been restored to "Active," retroactive to the date of the termination. This addition confirms that while the event history within SEVIS continues to include "Terminated" in the April 2025 time period, the retroactive resetting of the status to "Active" means that each Plaintiff had continuous "Active" status throughout April 2025, with no gap or lapses in the Plaintiff's "Active" status.

It is also **ORDERED** that by May 22, 2025, Defendants shall file a Notice confirming compliance with this Order, attaching screen shots of the SEVIS records with the required notation. Defendants shall file the screen shots under seal.

Signed on May 12, 2025.



Fernando Rodriguez, Jr.
United States District Judge